

Serial No.: 09/622,964
Case No.: 20177YP
Page 4

REMARKS

The previously filed amendments are incorporated herein in their entirety. In the outstanding Communication, it is alleged that Applicants failed to provide a complete list of all of the claims. Applicants respectfully disagree with the Examiner's contention that Applicant's previous amendments were non-compliant because of failure to include canceled claims in the listing. It is Applicant's understanding that as noted in Applicant's previous amendment, canceled claims were noted up front in the claims section. There is no requirement to have to include the same as alleged by the Examiner.

However, to facilitate prosecution of the application, Applicants are re-submitting the above amendment as per the Examiner's requirement without any acquiescence of such requirement.

No new matter is submitted.

In view of the foregoing amendments and remarks, it is believed that the claims are in proper condition for allowance. Accordingly, Applicants respectfully request that all of the rejections be withdrawn and a Notice of Allowance be forwarded to the Applicants.

The Examiner is invited to contact Applicant's Attorney at the telephone number given below, if such would expedite the allowance of this application.

Favorable action is earnestly solicited.

Serial No.: 09/622,964
Case No.: 20177YP
Page 5

CONDITIONAL PETITION

Applicant hereby makes a Conditional Petition for any relief available to correct any defect in connection with this filing, or any defect remaining in this application after this filing. The Commissioner is authorized to charge deposit account 13-2755 for the petition fee and any other fee(s) required to affect this Conditional Petition.

Respectfully submitted,

By Vineet Kohli
Vineet Kohli
Reg. No. 37,003
Attorney for Applicant

MERCK & CO., INC.
P.O. Box 2000
Rahway, New Jersey 07065-0907
(732) 594-3889

Date: 1/12/05